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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Fargo, Richard
Serial Number: 10/564,873
Filed: 01/17/2006
Group Art Unit: 3654
Examiner: Kruer, Stefan
Title: SHOCK ABSORBING HITCH

REQUEST FOR RECONSIDERATION

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper is responsive to the Final Office Action that was mailed on December 14, 2006. Applicant respectfully requests reconsideration of this application.

The rejection under 35 U.S.C. § 102(b) based upon *Fuller, et al.*

Applicant respectfully submits that none of the claims are anticipated by a *Fuller, et al.* reference. The Office Action states that the Examiner is applying the '824 *Fuller, et al.* reference under 35 U.S.C. § 102, however, it appears from page 4 of the Office Action that the Examiner is actually applying the '945 *Fuller, et al.* reference under 35 U.S.C. § 102. Regardless of which reference was intended, neither reference establishes a *prima facie* case of anticipation against any of Applicant's claims.

The *Fuller, et al.* '945 reference is silent regarding any relative relationship between the springs 52 and the springs 54. Therefore, it is not a reasonable interpretation of the reference to conclude that the active elevator hitch 36 operates in the manner suggested by the Examiner on page 2 of the Office Action. The *Fuller, et al.* '945 reference is focused on an active elevator hitch that responds to elevator motion control signals. There is nothing in the reference